

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 13-16 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement; Claims 13 and 15 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2006/0095937 to Knudson (hereinafter “the ‘937 publication”); and Claim 16 was rejected under 35 U.S.C. § 103(a) as being unpatentable over the ‘937 publication in view of U.S. Patent Application Publication No. 2004/0078829 to Patel (hereinafter “the ‘829 publication”).

Regarding the rejection under 35 U.S.C. § 112, first paragraph, the Examiner asserts that the specification does not support claims to the four separate devices of Claim 13, as well as a recording and reproducing apparatus.

However, Applicants respectfully submit that support for the four devices of Claim 13 is found on pages 35-36 of the specification, no new matter has been added, and this rejection has been successfully traversed.

For the same reason, Applicants respectfully submit that the rejections of Claims 14-16 under 35 U.S.C. § 112, first paragraph, should be withdrawn.

Claim 13 has been amended to recite an information processing apparatus comprising:

a first device configured to receive a file containing information about a characteristic word representing a characteristic of a television program;

an input device configured to allow a user to select an intended characteristic word from characteristic words contained in said file;

a **user** device configured to transmit information about a characteristic word selected by said user to a **user** recording and playback apparatus; and

a second device configured to receive television program information about a television program corresponding to said selected characteristic word transmitted from said recording and playback apparatus as a result of transmitting information about said selected characteristic word.

Support for this amendment can be found in the specification.¹

The Office Action asserts that the '937 publication discloses everything in Claim 13. However, Applicants respectfully submit that the "server with a database 24 performs a search of program guide information and transmits the search results back to the user equipment" fails to disclose the claimed user device. As shown in Figure 1 of the '937 publication, the cited server and database are indicated as being located within the television distribution facility and, therefore, are not user devices.

Thus, Applicants respectfully submit that the rejection of Claim 13 has been rendered moot by the amendment to that claim.

Claim 15 recites an information processing method analogous to the operation of the information processing apparatus of Claim 13, and has been amended in a manner analogous to Claim 13. Thus, for the above-described reasons, Applicants respectfully submit that the rejection of Claim 15 has been rendered moot by the amendment to that claim.

Amended Claim 16 has been clarified to recite, in part, a computer readable medium encoded with a computer program to allow a computer to perform controlling transmission of information about a characteristic word selected by said user from a user device to a user recording and playback apparatus.

Regarding Claim 16, the Office Action asserts that the '937 publication discloses everything in Claim 16 except that the headend may be a recording and playback apparatus, and relies on the '829 publication to remedy that deficiency.

¹ See page 33, lines 8-26.

Specifically, in reference to the above-recited portions of Claim 16, the Office Action refers to paragraph [0063] of the '937 publication which describes that search information comprising a characteristic word is transmitted to a server with database 24 for performing the search and receiving the search results from the server, and relies on the '937 publication to teach that a headend may be a recording and playback apparatus. However, neither the server of the '937 publication or the headend of the '829 publication discloses a **user** recording and playback apparatus. As acknowledged in the Office Action, the server of the '937 publication is in the television distribution facility, and the headend of the '829 publication is the headend of a cable TV system, **not** a user recording and playback apparatus.

Thus, no matter how the '937 publication and the '829 publication are combined, the combination fails to teach or suggest controlling transmission of information about characteristic words selected by said user from a user device to a user recording and playback apparatus, as recited in amended Claim 16.

Thus, for all these reasons, it is respectfully submitted that independent Claims 13, 15, and 16 (and all associated dependent claims) patentably define over the cited references.

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

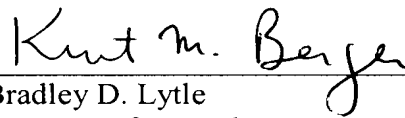
Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/09)

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, L.L.P.

A handwritten signature in cursive script that reads "Kurt M. Berger". The signature is written in black ink and is positioned above a horizontal line.

Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Kurt M. Berger, Ph.D.
Registration No. 51,461